



Atty Dkt No. 8325-0002.221
S2-US5
USSN: 09/942,087
PATENT

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12/03/01
Date

[Signature]
Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

CASE et al.

Confirmation No: 7166

Serial No.: 09/942,087

Art Unit: Unassigned

Filing Date: August 28, 2001

Examiner: Unassigned

Title: MODULATION OF ENDOGENOUS GENE EXPRESSION IN CELLS

TRANSMITTAL LETTER

Assistant Commissioner for Patents
Box Missing Part
Washington, D.C. 20231

Sir:

This is in response to the Notice to File Missing Parts dated October 1, 2001.

Transmitted herewith for filing are the following documents:

- 1) a copy of the Notice to File Missing Parts;
- 2) a Declaration for Utility Patent Application;
- 3) a Power of Attorney by Assignee (with a copy of the Assignment);
- 4) a Certificate Under 37 CFR 3.73(b);
- 5) a Blanket Petition for Extension of Time and Authorization to Charge or Credit

Deposit Account;

- 6) a Sequence Listing in paper copy and computer-readable form;
- 7) a Declaration Under 37 CFR §1.825;
- 8) a Preliminary Amendment; and
- 9) a check in the amount of \$1122 (surcharge, \$130; statutory basic filing fee, \$740; additional claim fees, \$252) to cover the fees required.

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The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 which may be required by this paper, or to credit any overpayment, to Deposit Account No. 18-1648.

Respectfully submitted,

Date: Dec 3, 2001

By: *D. Pasternak*
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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/942,087	08/28/2001	Casey C. Case	S2-US5 8325-0002.21

CONFIRMATION NO. 7166

FORMALITIES LETTER



OC000000006822120

20855
ROBINS & PASTERNAK LLP
90 MIDDLEFIELD ROAD
SUITE 200
MENLO PARK, CA 94025

Date Mailed: 10/01/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$252.
 ▪ **\$252 for 14 total claims over 20.**
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 1092.**
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

01/29/2002 MBERXZ 00000076 09942087

01 F0:001	740.00 02
02 F0:005	130.00 02
03 F0:005	252.00 02

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE